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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 ROY LEN NEFF,

9 Petitioner,

10 v.

11 WASHINGTON STATE DEPARTMENT OF
CORRECTIONS,

12 Respondent.

Case No. C09-5098BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION


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14 This matter comes before the Court on the Report and Recommendation of the
15 Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 15.

16 The Court having considered the Report and Recommendation, Petitioner's failure to
17 file objections, and the remaining record, does hereby find and order:

18 (1) Without reaching the merits of the petition, the Court adopts the conclusion of
19 the Report and Recommendation that this Court lacks personal jurisdiction over
20 Respondent;

21 (2) The petition for habeas corpus is therefore **DISMISSED without prejudice.**

22 DATED this 26th day of August, 2009.

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25 BENJAMIN H. SETTLE
26 United States District Judge
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ORDER